

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SNOWBRIDGE ADVISORS LLC et al., :
: .
Plaintiffs, : .
: . 21-cv-9086 (JSR)
-v- : .
: .
: .
ESO CAPITAL PARTNERS UK LLP et al., :
: .
Defendants. : .
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JED S. RAKOFF, U.S.D.J.

Now before the Court are the motions of defendants ESO Capital Partners UK LLP ("ESO Partners") and Soho Square Capital LLP ("Soho Square") to dismiss plaintiffs' claims against them for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(b)(1) and for failure to state a claim upon which relief can be granted under Fed. R. Civ. P. 12(b)(6). ECF Nos. 37 and 39.

Upon due consideration, the Court grants both motions and dismisses the complaint. The claims of plaintiff Snowbridge Advisors LLC for breach of contract against ESO Partners and for breach of contract against Soho Square as successor are dismissed for lack of subject matter jurisdiction. The claims of plaintiff Snowbridge Securities LLC for breach of contract against ESO Partners and for breach of contract against Soho Square as successor are dismissed for lack of standing. The Court also grants

the motions of ESO Partners and Soho Square to dismiss Count Six because the request for a declaratory judgment is duplicative of the breach of contract and breach of contract as successor claims in Counts One and Two, and it does not serve a useful purpose to clarify the legal issues involved or otherwise finalize the controversy or offer relief from uncertainty. Finally, plaintiffs' request for leave to replead is denied as futile.

The Court will issue an opinion setting forth the reasons for this ruling by no later than April 11, 2022, at which time final judgment will be entered.

SO ORDERED.

Dated: New York, NY

March 28, 2022



JED S. RAKOFF, U.S.D.J.